

**RESOLUTION**

**AUTHORIZING CHANGE ORDER NO. 2/FINAL CHANGE ORDER INCREASING THE AMENDED CONTRACT PRICE FROM \$639,188.59 TO \$641,303.90 AN INCREASE OF 0.33% OR \$2,115.31, AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND, ACCEPTANCE OF THE MAINTENANCE BOND, AND FINAL PAYMENT TO TOP LINE CONSTRUCTION CORP., FOR THE RUNNING BROOK ROAD IMPROVEMENT PROJECT, FUNDED THROUGH THE 2020 CAPITAL FUND**

**WHEREAS**, the Township of Bridgewater and Top Line Construction Corp. entered into a contract for construction services related to the road repaving and incidental improvements for the Improvements to Running Brook Road; and

**WHEREAS**, there was a Change Order No. 1 approved by Council on January 14, 2021, increasing the contract price from \$578,442.08 to \$639,188.59 which was a 10.50% increase in the amount of \$60,746.51; and

**WHEREAS**, there is Change Order No. 2/Final increasing the contract price from the approved \$639,188.59 to \$641,303.90, an increase of \$2,115.31 to the amended contract amount based on an adjustment of estimated quantities to match as-built quantities including rock excavation and additional drainage to address field observed storm runoff and groundwater issues not identified or apparent during the design phase of this project; and

**WHEREAS**, the aforesaid modification necessitates a change order to reflect the actual contract amount, which change order is permissible under the Local Public Contracts Law and the Local Government Services regulations with respect to the same; and

**WHEREAS**, William H. Burr, IV, PE, Township Engineer, recommends authorizing Change Order #2, Accepting the Project, Releasing the Performance Bond and accepting the Maintenance Bond; and

**WHEREAS**, Joseph Sarno, Chief Finance Officer, on behalf of Holman Frenia Allison, P.C., has certified the availability of funds for the increase and Change Order No. 2/Final; and

**WHEREAS**, Christopher Corsini, Township Attorney, has reviewed the Township Engineer's memo of completion, Executive Summary, Maintenance Bond, Change Order #2, and Affidavit of No Liens, and has found all of same to be satisfactory; and

**WHEREAS**, the contractor has submitted to the Township an "Affidavit of No Liens" confirming that all indebtedness associated with this project has been satisfied; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Bridgewater, in the County of Somerset and State of New Jersey as follows:

1. It hereby acknowledges that this project has been satisfactorily completed, accepts same and, accordingly, releases Performance and Payment Bond No. (CA-3630801) in the amount of \$578,442.08 from Great American Insurance Group.

2. It authorizes the appropriate municipal officials to pay the balance due on the final contract which is hereby accepts, and which has resulted in an adjusted contract amount of \$641,303.90.
3. It hereby accepts Maintenance Bond (CA-3630801M), in the sum of \$96,195.59 issued by Great American Insurance Group.
4. It hereby directs Linda Doyle, Township Clerk to transmit certified copies of this resolution to Rose Witt, Qualified Purchasing Agent, Joe Sarno, Finance Department, William H, Burr, IV, PE, Township Engineer, McMahon Associates, Inc, and Top Line Construction Corp.

Introduced	Seconded	Council	Aye	Nay	Abstain	Absent
✓		Kirsh	✓			
	✓	Norgalis	✓			
		Pedroso	✓			
		Ring	✓			
		Kurdyla	✓			

Adopted: February 7, 2022